



5-15-06 IFW 1634

Attorney Docket No. 5051-445

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Moyer et al.
Serial No.: 09/912,072
Filed: July 24, 2001
For: *IDENTIFICATION OF POINSETTIA CULTIVARS*

Confirmation No.: 3267
Group Art Unit: 1634
Examiner: S. Bausch

Date: May 12, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUBSTITUTE AMENDMENT IN RESPONSE
TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

Applicants provide the present Substitute Amendment in response to the Notice of Non-Compliant Amendment dated May 4, 2006.

It is not believed that any fees are due beyond those authorized with the initial response dated February 7, 2006. In the event that additional fees are due; such fees may be charged to Deposit Account No. 50-0220.

Responsive to the Non-Final Action dated August 10, 2005, it is respectfully requested that this application be reconsidered in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.